

1 AN ACT in relation to elevators.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Elevator Safety Act.

6 Section 5. Purpose. The purpose of this Act is to
7 provide for the public safety of life and limb and to promote
8 public safety awareness. The use of unsafe and defective
9 lifting devices imposes a substantial probability of serious
10 and preventable injury to employees and the public exposed to
11 unsafe conditions. The prevention of these injuries and
12 protection of employees and the public from unsafe conditions
13 is in the best interest of the people of this State. Elevator
14 personnel performing work covered by this Act shall, by
15 documented training or experience or both, be familiar with
16 the operation and safety functions of the components and
17 equipment. Training and experience shall include, but not be
18 limited to, recognizing the safety hazards and performing the
19 procedures to which they are assigned in conformance with the
20 requirements of the Act. This Act shall establish the minimum
21 standards for elevator personnel.

22 The provisions of this Act are not intended to prevent
23 the use of systems, methods, or devices of equivalent or
24 superior quality, strength, fire resistance, code
25 effectiveness, durability, and safety to those required by
26 the Act, provided that there is technical documentation to
27 demonstrate the equivalency of the system, method, or device,
28 as prescribed in ASME A17.1, ASME A18.1, or ASCE 21.

29 Section 10. Applicability.

30 (a) This Act covers the design, construction, operation,

1 inspection, testing, maintenance, alteration, and repair of
2 the following equipment, its associated parts, and its
3 hoistways (except as modified by subsection (c) of this
4 Section):

5 (1) Hoisting and lowering mechanisms equipped with a
6 car or platform, which move between 2 or more landings.
7 This equipment includes, but is not limited to, the
8 following (also see ASME A17.1, ASME A17.3, ASME A18.1,
9 and ANSI A10.4):

10 (A) Elevators.

11 (B) Platform lifts and stairway chair lifts.

12 (2) Power driven stairways and walkways for carrying
13 persons between landings. This equipment includes, but is
14 not limited to, the following (also see ASME A17.1 and
15 ASME A17.3):

16 (A) Escalators.

17 (B) Moving walks.

18 (3) Hoisting and lowering mechanisms equipped with a
19 car, which serves 2 or more landings and is restricted to
20 the carrying of material by its limited size or limited
21 access to the car. This equipment includes, but is not
22 limited to, the following (also see ASME A17.1 and ASME
23 A17.3):

24 (A) Dumbwaiters.

25 (B) Material lifts and dumbwaiters with
26 automatic transfer devices.

27 (b) This Act covers the design, construction, operation,
28 inspection, maintenance, alteration, and repair of automatic
29 guided transit vehicles on guideways with an exclusive
30 right-of-way. This equipment includes, but is not limited to,
31 automated people movers (also see ASCE 21).

32 (c) This Act does not apply to the following equipment:

33 (1) Material hoists.

34 (2) Belt manlifts.

1 (3) Mobile scaffolds, towers, and platforms, except
2 those covered by ANSI A10.4.

3 (4) Powered platforms and equipment for exterior and
4 interior maintenance.

5 (5) Conveyors and related equipment.

6 (6) Cranes, derricks, hoists, hooks, jacks, and
7 slings.

8 (7) Industrial trucks.

9 (8) Portable equipment, except for portable
10 escalators.

11 (9) Tiering or piling machines used to move
12 materials to and from storage located and operating
13 entirely within one story.

14 (10) Equipment for feeding or positioning materials
15 at machine tools, printing presses, etc.

16 (11) Skip or furnace hoists.

17 (12) Wharf ramps.

18 (13) Railroad car lifts or dumpers.

19 (14) Line jacks, false cars, shafters, moving
20 platforms, and similar equipment used for installing an
21 elevator by a contractor licensed in this State.

22 (15) Railway and Transit Systems.

23 (d) If a municipality operates a program for the
24 installation, alteration, inspection, or certification of
25 elevators and related equipment, this Act shall not apply to
26 elevators and related equipment in that municipality if the
27 standards of installation, alteration, inspection, or
28 certification are equivalent to those contained in this Act.

29 Section 15. Definitions. In this Act, words and phrases
30 have the meanings set forth in the following Sections.

31 Section 15.5. Administrator. "Administrator" means the
32 Office of the State Fire Marshal.

1 Section 15.10. ASCE 21. "ASCE 21" means the American
2 Society of Civil Engineers Automated People Mover Standards.

3 Section 15.15. ASME A17.1. "ASME A17.1" means the
4 Safety Code for Elevators and Escalators, an American
5 National Standard.

6 Section 15.20. ASME A17.3. "ASME A17.3" means the
7 Safety Code for Existing Elevators and Escalators, an
8 American National Standard.

9 Section 15.25. ASME A18.1. "ASME A18.1" means the
10 Safety Standard for Platform Lifts and Stairway Chairlifts,
11 an American National Standard.

12 Section 15.27. ANSI A10.4. "ANSI A10.4" means the safety
13 requirements for personnel hoists, an American National
14 Standard.

15 Section 15.30. Automated people mover. "Automated people
16 mover" means an installation as defined as an "automated
17 people mover" in ASCE 21.

18 Section 15.35. Board. "Board" means the Elevator Safety
19 Review Board.

20 Section 15.40. Certificate of operation. "Certificate
21 of operation" means a certificate issued by the State Fire
22 Marshal that indicates that the conveyance has passed the
23 required safety inspection and tests and fees have been paid
24 as set forth in this Act. The State Fire Marshal may issue a
25 temporary certificate of operation that permits the temporary
26 use of a non-compliant conveyance by the general public for a
27 limited time of 30 days while minor repairs are being

1 completed.

2 Section 15.45. Conveyance. "Conveyance" means any
3 elevator, dumbwaiter, escalator, moving sidewalk, platform
4 lifts stairway chairlifts and automated people movers.

5 Section 15.50. Elevator. "Elevator" means an
6 installation defined as an "elevator" in ASME A17.1.

7 Section 15.55. Elevator contractor. "Elevator
8 contractor" means any person, firm, or corporation who
9 possesses an elevator contractors license in accordance with
10 the provisions of Sections 40 and 55 of this Act and who is
11 engaged in the business of erecting, constructing,
12 installing, altering, servicing, repairing, or maintaining
13 elevators or related conveyance covered by this Act.

14 Section 15.60. Elevator inspector. "Elevator inspector"
15 means any person who possesses an elevator inspector's
16 license in accordance with the provisions of this Act or any
17 person who performs the duties and functions of an elevator
18 inspector for any unit of local government with a population
19 greater than 500,000 prior to or on the effective date of
20 this Act.

21 Section 15.65. Elevator mechanic. "Elevator mechanic"
22 means any person who possesses an elevator mechanic's license
23 in accordance with the provisions of Sections 40 and 45 of
24 this Act and who is engaged in erecting, constructing,
25 installing, altering, servicing, repairing, or maintaining
26 elevators or related conveyance covered by this Act.

27 Section 15.70. Escalator. "Escalator" means an
28 installation defined as an "escalator" in ASME A17.1.

1 Section 15.75. Existing installation. "Existing
2 installation" means an installation defined as an
3 "installation, existing" in ASME A17.1.

4 Section 15.80. License. "License" means a written
5 license, duly issued by the State Fire Marshal, authorizing a
6 person, firm, or company to carry on the business of
7 erecting, constructing, installing, altering, servicing,
8 repairing, maintaining, or performing inspections of
9 elevators or related conveyance covered by this Act.

10 Section 15.85. Elevator contractor's license. "Elevator
11 contractor's license" means a license issued to an elevator
12 contractor who has proven his or her qualifications and
13 ability and has been authorized by the Elevator Safety Review
14 Board to possess this type of license. It shall entitle the
15 holder thereof to engage in the business of erecting,
16 constructing, installing, altering, servicing, testing,
17 repairing, or maintaining elevators or related conveyance
18 covered by this Act. The State Fire Marshal may issue a
19 limited elevator contractor's license authorizing a firm or
20 company that employs individuals to carry on a business of
21 erecting, constructing, installing, altering, servicing,
22 repairing, or maintaining platform lifts and stairway
23 chairlifts within any building or structure, including but
24 not limited to private residences.

25 Section 15.90. Inspector's license. "Inspector's
26 license" means a license issued to a person who has proven
27 his or her qualifications and ability and has been authorized
28 by the Elevator Safety Review Board to possess this type of
29 license. It shall entitle the holder thereof to engage in the
30 business of inspecting elevators or related conveyance
31 covered by this Act.

1 Section 15.95. Elevator mechanic's license. "Elevator
2 mechanic's license" means a license issued to a person who
3 has proven his or her qualifications and ability and has been
4 authorized by the Elevator Safety Review Board to work on
5 conveyance equipment. It shall entitle the holder thereof to
6 install, construct, alter, service, repair, test, maintain,
7 and perform electrical work on elevators or related
8 conveyance covered by this Act.

9 Section 15.100. Material alteration. "Material
10 alteration" means an "alteration" as defined by the Board.

11 Section 15.105. Moving walk. "Moving walk" means an
12 installation as defined a "moving walk" in ASME A17.1.

13 Section 15.110. Private residence. "Private residence"
14 means a separate dwelling or a separate apartment in a
15 multiple dwelling that is occupied by members of a
16 single-family unit.

17 Section 15.115. Repair. "Repair" has the meaning
18 defined by the Board, which does not require a permit.

19 Section 15.120. Temporarily dormant. "Temporarily
20 dormant" means an elevator, dumbwaiter, or escalator:

21 (1) with a power supply that has been disconnected
22 by removing fuses and placing a padlock on the mainline
23 disconnect switch in the "off" position;

24 (2) with a car that is parked and hoistway doors
25 that are in the closed and latched position;

26 (3) with a wire seal on the mainline disconnect
27 switch installed by a licensed elevator inspector;

28 (4) that shall not be used again until it has been
29 put in safe running order and is in condition for use;

1 (5) requiring annual inspections for the duration of
2 the temporarily dormant status by a licensed elevator
3 inspector;

4 (6) that has a "temporarily dormant" status that is
5 renewable on an annual basis, not to exceed a one-year
6 period;

7 (7) requiring the inspector to file a report with
8 the chief elevator inspector describing the current
9 conditions; and

10 (8) with a wire seal and padlock that shall not be
11 removed for any purpose without permission from the
12 elevator inspector.

13 Section 20. License required.

14 (a) After July 1, 2003, no person shall erect, construct,
15 wire, alter, replace, maintain, remove, or dismantle any
16 conveyance contained within buildings or structures in the
17 jurisdiction of this State unless he or she possesses an
18 elevator mechanic's license under this Act and unless he or
19 she works under the direct supervision of a person, firm, or
20 company having an elevator contractor's license. However, a
21 licensed elevator contractor is not required for:

22 (1) removal or dismantling of conveyances that are
23 destroyed as a result of a complete demolition of a
24 secured building or structure or where the hoistway or
25 wellway is demolished back to the basic support structure
26 and where no access is permitted that would endanger the
27 safety and welfare of a person; and

28 (2) the conveyance is to be installed in the
29 hoistway that was demolished to the basic support
30 structure.

31 (b) After July 1, 2003, no person shall inspect any
32 conveyance within buildings or structures, including, but not
33 limited, to private residences, unless he or she has an

1 inspector's license. However, any person hired as an elevator
2 inspector for any unit of local government with a population
3 greater than 500,000 prior to or on the effective date of
4 this Act shall not be required to obtain this license until 2
5 years after the effective date of this Act.

6 Section 25. Elevator Safety Review Board.

7 (a) There is hereby created within the Office of the
8 State Fire Marshal the Elevator Safety Review Board,
9 consisting of 9 members, 2 of whom shall be appointed by the
10 State Fire Marshal. The Governor shall appoint the remaining
11 7 members of the Board as follows: one representative from a
12 major elevator manufacturing company or its authorized
13 representative; one representative from an elevator servicing
14 company; one representative of the architectural design
15 profession; one representative of the general public; one
16 representative of a municipality in this State; one
17 representative of a building owner or manager; and one
18 representative of labor involved in the installation,
19 maintenance, and repair of elevators.

20 (b) The members constituting the Board shall be appointed
21 for initial terms as follows:

22 (1) Of the members appointed by the State Fire
23 Marshal, one shall serve for a term of 2 years, and one
24 for a term of 4 years.

25 (2) Of the members appointed by the Governor, one
26 shall serve for a term of one year, 2 for terms of 2
27 years, 2 for terms of 3 years, and 2 for terms of 4
28 years.

29 At the expiration of their initial terms of office, the
30 members or their successors shall be appointed for terms of 4
31 years each. Upon the expiration of a member's term of office,
32 the officer who appointed that member shall reappoint that
33 member or appoint a successor who is a representative of the

1 same interests with which his or her predecessor was
2 identified. The State Fire Marshal and the Governor may at
3 any time remove any of their respective appointees for
4 inefficiency or neglect of duty in office. Upon the death or
5 incapacity of a member, the officer who appointed that member
6 shall fill the vacancy for the remainder of the vacated term
7 by appointing a member who is a representative of the same
8 interests with which his or her predecessor was identified.
9 The members shall serve without salary, but shall receive
10 from the State expenses necessarily incurred by them in
11 performance of their duties. The Governor shall appoint one
12 of the members to serve as chairperson. The chairperson
13 shall be the deciding vote in the event of a tie vote.

14 Section 30. Meeting of the Board. The Board shall meet
15 and organize within 10 days after the appointment of its
16 members and at such meeting shall elect one secretary of the
17 Board to serve during the term to be fixed by the rules
18 adopted by the Board. The Board shall meet regularly once in
19 each month at a time and place to be fixed by it and at such
20 times as it is deemed necessary for the consideration of code
21 regulations, appeals, variances, and for the transaction of
22 any other business as properly may come before it. Special
23 meetings shall be called as provided in Board rules.

24 Section 35. Powers and duties.

25 (a) The Board shall consult with engineering authorities
26 and organizations and adopt rules consistent with the
27 provisions of this Act for the administration and enforcement
28 of this Act. The Board may prescribe forms to be issued in
29 connection with the administration and enforcement of this
30 Act. The rules shall establish standards and criteria
31 consistent with this Act for licensing of elevator mechanics,
32 inspectors, and installers of elevators, including the

1 provisions of the Safety Code for Elevators and Escalators
2 (ASME A17.1), the Safety Code for Existing Elevators (ASME
3 A18.1), the Standard for the Qualification of Elevator
4 Inspectors (ASME QEI-1), the Automated People Mover Standards
5 (ASCE 21), and the safety requirements for personnel hoists
6 (ANSI A10.4). The Board shall adopt the latest standards
7 within 6 months of their effective date, and any modification
8 of these standards that the Board deems necessary shall be
9 justified in writing by the Board.

10 (b) The Board shall have the authority to grant
11 exceptions and variances from the literal requirements of
12 applicable codes, standards, regulations, and local
13 legislation in cases where such variances would not
14 jeopardize the public safety and welfare. The Board shall
15 have the authority to hear appeals, hold hearings, and decide
16 upon such within 30 days of the appeal.

17 (c) The Board shall establish fee schedules for licenses,
18 permits, certificates, and inspections. The fees shall
19 reflect the actual costs and expenses to operate the Board
20 and to conduct the duties as described in this Act.

21 (d) The Board shall be authorized to recommend the
22 amendments of applicable legislation, when appropriate, to
23 legislators.

24 (e) The State Fire Marshal may solicit the advice and
25 expert knowledge of the Board on any matter relating to the
26 administration and enforcement of this Act.

27 (f) The State Fire Marshal may employ professional,
28 technical, investigative, or clerical help, on either a
29 full-time or part-time basis, as may be necessary for the
30 enforcement of this Act.

31 Section 40. Application for contractor's license.

32 (a) Any person, firm, or company wishing to engage in the
33 business of installing, altering, servicing, replacing, or

1 maintaining elevators, dumbwaiters, escalators, or moving
2 walks within this State shall make application for a license
3 with the State Fire Marshal.

4 (b) Any person wishing to engage in the business of
5 installing, altering, repairing, servicing, replacing, or
6 maintaining elevators, dumbwaiters, escalators, or moving
7 walks within this State shall make application for a license
8 with the State Fire Marshal.

9 (c) Any person wishing to engage in the business of
10 inspecting elevators, dumbwaiters, escalators, moving walks,
11 or platform or stairway chairlifts within this State shall
12 make application for a license with the State Fire Marshal.
13 The person must provide proof of his or her QEI certification
14 when applying for a license.

15 (d) All applications shall contain the following
16 information:

17 (1) if the applicant is a person, the name,
18 residence, and business address of the applicant;

19 (2) if the applicant is a partnership, the name,
20 residence, and business address of each partner;

21 (3) if the applicant is a domestic corporation, the
22 name and business address of the corporation and the name
23 and residence address of the principal officer of the
24 corporation;

25 (4) if the applicant is a corporation other than a
26 domestic corporation, the name and address of an agent
27 locally located who shall be authorized to accept service
28 of process and official notices.

29 (5) the number of years the applicant has engaged in
30 the business of installing, inspecting, maintaining, or
31 servicing elevators or platform lifts or both.

32 (6) if applying for an elevator contractor's
33 license, the approximate number of persons, if any, to be
34 employed by the elevator contractor applicant and, if

1 applicable, satisfactory evidence that the employees are
2 or will be covered by workers' compensation insurance;

3 (7) satisfactory evidence that the applicant is or
4 will be covered by general liability, personal injury,
5 and property damage insurance;

6 (8) any criminal record of convictions;

7 (9) any other information as the State Fire Marshal
8 may require;

9 Section 45. Qualifications for elevator mechanic's
10 license.

11 (a) No license shall be granted to any person who has not
12 paid the required application fee.

13 (b) No license shall be granted to any person who has not
14 proven his or her qualifications and abilities. Applicants
15 for an elevator mechanic's license must demonstrate one of
16 the following qualifications:

17 (1) an acceptable combination of documented
18 experience and education credits consisting of: (A) not
19 less than 3 years work experience in the elevator
20 industry, in construction, maintenance, and service or
21 repair, as verified by current and previous employers
22 licensed to do business in this State; and (B)
23 satisfactory completion of a written examination
24 administered by the Elevator Safety Review Board on the
25 most recent referenced codes and standards;

26 (2) acceptable proof that he or she has worked as an
27 elevator constructor, maintenance, or repair person;
28 acceptable proof shall consist of documentation that he
29 or she worked without direct and immediate supervision
30 for an elevator contractor who has worked on elevators in
31 this State for a period of not less than 3 years
32 immediately prior to the effective date of this Act; the
33 person must make application within one year of the

1 effective date of this Act;

2 (3) a certificate of successful completion of the
3 mechanic examination of a nationally recognized training
4 program for the elevator industry such as the National
5 Elevator Industry Educational Program or its equivalent;

6 (4) a certificate of completion of an elevator
7 mechanic apprenticeship program with standards
8 substantially equal to those of this Act and registered
9 with the Bureau of Apprenticeship and Training, U.S.
10 Department of Labor, or a State apprenticeship council;
11 or

12 (5) a valid license from a state having standards
13 substantially equal to those of this State.

14 Section 50. Qualifications for elevator inspector's
15 license.

16 (a) No inspector's license shall be granted to any person
17 who has not paid the required application fee.

18 (b) No inspector's license shall be granted to any
19 person, unless he or she proves to the satisfaction of the
20 administrator that he or she meets the current ASME QEI-1,
21 Standards for the Qualifications of Elevator Inspectors.

22 Section 55. Qualifications for elevator contractor's
23 license.

24 (a) No license shall be granted to any person or firm
25 unless the appropriate application fee is paid.

26 (b) No license shall be granted to any person or firm who
27 has not proven the required qualifications and abilities. An
28 applicant must demonstrate one of the following
29 qualifications:

30 (1) five years work experience in the elevator
31 industry in construction, maintenance, and service or
32 repair, as verified by current and previous elevator
33 contractor's licenses to do business, or satisfactory

1 completion of a written examination administered by the
2 Elevator Safety Review Board on the most recent
3 referenced codes and standards; or

4 (2) proof that the individual or firm holds a valid
5 license from a state having standards substantially equal
6 to those of this State.

7 Section 60. Issuance and renewal of licenses; fees.

8 (a) Upon approval of an application, the Office of the
9 State Fire Marshal may issue a license that must be renewed
10 biannually. The renewal fee for the license shall be set by
11 the Board.

12 (b) Whenever an emergency exists in the State due to
13 disaster or work stoppage and the number of persons in the
14 State holding licenses granted by the Board is insufficient
15 to cope with the emergency, the licensed elevator contractor
16 shall respond as necessary to assure the safety of the
17 public. Any person certified by a licensed elevator
18 contractor to have an acceptable combination of documented
19 experience and education to perform elevator work without
20 direct and immediate supervision shall seek an emergency
21 elevator mechanic's license from the Office of the State Fire
22 Marshal within 5 business days after commencing work
23 requiring a license. The administrator shall issue emergency
24 elevator mechanic's licenses. The applicant shall furnish
25 proof of competency as the administrator may require. Each
26 license shall recite that it is valid for a period of 30 days
27 from the date thereof and for such particular elevators or
28 geographical areas as the administrator may designate and
29 otherwise shall entitle the licensee to the rights and
30 privileges of a elevator mechanic's license issued under this
31 Act. The administrator shall renew an emergency elevator
32 mechanic's license during the existence of an emergency. No
33 fee shall be charged for any emergency elevator mechanic's

1 license or renewal thereof.

2 (c) A licensed elevator contractor shall notify the
3 administrator when there are no licensed personnel available
4 to perform elevator work. The licensed elevator contractor
5 may request that the administrator issue temporary elevator
6 mechanic's licenses to persons certified by the licensed
7 elevator contractor to have an acceptable combination of
8 documented experience and education to perform elevator work
9 without direct and immediate supervision. Any person
10 certified by a licensed elevator contractor to have an
11 acceptable combination of documented experience and education
12 to perform elevator work without direct and immediate
13 supervision shall immediately seek a temporary elevator
14 mechanic's license from the administrator and shall pay such
15 fee as the Board shall determine. Each license shall recite
16 that it is valid for a period of 30 days from the date of
17 issuance and while employed by the licensed elevator
18 contractor that certified the individual as qualified. It
19 shall be renewable as long as the shortage of license holders
20 shall continue.

21 (d) The renewal of all licenses granted under the
22 provisions of this Section shall be conditioned upon the
23 submission of a certificate of completion of a course
24 designed to ensure the continuing education of licensees on
25 new and existing provisions of the rules of the Elevator
26 Safety Review Board. Such course shall consist of not less
27 than 8 hours of instruction that shall be attended and
28 completed within one year immediately preceding any such
29 license renewal.

30 (e) The courses referred to in subsection (d) of this
31 Section shall be taught by instructors through continuing
32 education providers that may include, but shall not be
33 limited to, association seminars and labor training programs.
34 The Elevator Safety Review Board shall approve the continuing

1 education providers. All instructors shall be approved by the
2 Board and shall be exempt from the requirements of subsection
3 (d) of this Section with regard to their applications for
4 license renewal, provided that such applicant was qualified
5 as an instructor at any time during the one year immediately
6 preceding the scheduled date for such renewal.

7 (f) A licensee who is unable to complete the continuing
8 education course required under this Section prior to the
9 expiration of his or her license due to a temporary
10 disability may apply for a waiver from the Board. This shall
11 be on a form provided by the Board, which shall be signed
12 under the penalty of perjury and accompanied by a certified
13 statement from a competent physician attesting to such
14 temporary disability. Upon the termination of such temporary
15 disability, the licensee shall submit to the Board a
16 certified statement from the same physician, if practicable,
17 attesting to the termination of the temporary disability, at
18 which time a waiver sticker, valid for 90 days, shall be
19 issued to the licensee and affixed to his or her license.

20 (g) Approved training providers shall keep for a period
21 of 10 years uniform records of attendance of licensees
22 following a format approved by the Board. These records
23 shall be available for inspection by the Board at its
24 request. Approved training providers shall be responsible for
25 the security of all attendance records and certificates of
26 completion, provided that falsifying or knowingly allowing
27 another to falsify attendance records or certificates of
28 completion shall constitute grounds for suspension or
29 revocation of the approval required under this Section.

30 Section 65. Penalties; suspension and revocation of
31 licenses. A license issued pursuant to this Act may be
32 suspended, revoked, or subjected to a penalty by the
33 administrator upon verification that any one or more of the

1 following reasons exist:

2 (1) any false statement as to material matter in the
3 application;

4 (2) fraud, misrepresentation, or bribery in securing
5 a license;

6 (3) failure to notify the administrator and the
7 owner or lessee of an elevator or related mechanisms of
8 any condition not in compliance with this Act; or

9 (4) violation of any provisions of this Act.

10 Section 70. Hearing on charges; decision. No license
11 shall be suspended, revoked, or subjected to a penalty until
12 after a hearing before the administrator, upon notice to the
13 licensee of at least 10 days at the last known address
14 appearing on the license, served personally or by registered
15 mail. The notice shall state the date, hour, and place of
16 hearing and set forth a statement of facts constituting the
17 grounds for the charges against the licensee. The
18 administrator shall suspend or revoke the license or dismiss
19 the proceeding, subject to administrative review.

20 Section 75. Appeals. Any person whose license is revoked,
21 suspended, or subjected to a penalty may appeal from a
22 determination to the Board, which shall within 30 days
23 thereafter, hold a hearing, of which at least 15 days written
24 notice shall be given to all interested parties. The Board
25 shall, within 30 days after the hearing, issue a decision,
26 subject to administrative review.

27 Section 80. Registration of existing elevators, platform
28 lifts, dumbwaiters, escalators, moving walks, and any other
29 conveyance. Within 6 months after the date of the appointment
30 of the Board, the owner or lessee of every existing
31 conveyance shall register with the State Fire Marshal each

1 elevator, dumbwaiter, platform lift, escalator, or other
2 device described in Section 10 of this Act and provide the
3 type, rated load and speed, name of manufacturer, its
4 location, the purpose for which it is used, and such
5 additional information as the State Fire Marshal may require.
6 Elevators, dumbwaiters, platform lifts, escalators, moving
7 walks, or other conveyances of which construction has begun
8 subsequent to the date of the creation of the Board shall be
9 registered at the time they are completed and placed in
10 service.

11 Section 85. Compliance with State fire prevention and
12 building code laws. It shall be the responsibility of
13 individuals, firms, or companies licensed as described in
14 this Act to ensure that installation or service and
15 maintenance of elevators and devices described in Section 10
16 of this Act is performed in compliance with the provisions
17 contained in applicable State fire prevention and building
18 code laws where the municipality or other unit of local
19 government has elevator safety codes that are not as
20 stringent.

21 Section 90. Permits.

22 (a) No conveyance covered by this Act shall be erected,
23 constructed, installed, or altered within buildings or
24 structures within this State unless a permit has been
25 obtained from the Office of the State Fire Marshal or a
26 municipality or other unit of local government. If the
27 permit is obtained from a municipality or other unit of local
28 government, the municipality or other unit of local
29 government that issued the permit shall keep the permit on
30 file and available to the State Fire Marshal for inspection
31 for a period of not less than one year from the date of
32 issuance. Where any material alteration is made, the device

1 shall conform to applicable requirements in ASME A17.1, ASME
2 A18.1, ASCE 21, or ANSI A10.4. No permit required under this
3 Section shall be issued except to a person, firm, or
4 corporation holding a current elevator contractor's license,
5 duly issued pursuant to this Act. A copy of the permit shall
6 be kept at the construction site at all times while the work
7 is in progress.

8 (b) The permit fee shall be as set by the Board. Permit
9 fees collected are non-refundable.

10 (c) Each application for a permit shall be accompanied by
11 applicable fees and by copies of specifications and
12 accurately scaled and fully dimensioned plans showing the
13 location of the installation in relation to the plans and
14 elevation of the building, the location of the machinery room
15 and the equipment to be installed, relocated, or altered, and
16 all structural supporting members, including foundations.
17 The applicant shall also specify all materials to be employed
18 and all loads to be supported or conveyed. These plans and
19 specifications shall be sufficiently complete to illustrate
20 all details of construction and design.

21 (d) Permits may be revoked for the following reasons:

22 (1) Any false statements or misrepresentation as to
23 the material facts in the application, plans, or
24 specifications on which the permit was based.

25 (2) The permit was issued in error and should not
26 have been issued in accordance with the code.

27 (3) The work detailed under the permit is not being
28 performed in accordance with the provisions of the
29 application, plans, or specifications or with the code or
30 conditions of the permit.

31 (4) The elevator contractor to whom the permit was
32 issued fails or refuses to comply with a "stop work"
33 order.

34 (5) If the work authorized by a permit is not

1 commenced within 6 months after the date of issuance, or
2 within a shorter period of time as the State Fire Marshal
3 or his or her duly authorized representative in his or
4 her discretion may specify at the time the permit is
5 issued.

6 (6) If the work is suspended or abandoned for a
7 period of 60 days, or shorter period of time as the State
8 Fire Marshal or his or her duly authorized representative
9 in his or her discretion may specify at the time the
10 permit is issued, after the work has been started. For
11 good cause, the State Fire Marshal or his or her
12 representative may allow an extension of this period at
13 his or her discretion.

14 Section 95. New installations; annual inspections and
15 registrations.

16 (a) All new conveyance installations shall be performed
17 by a person, firm, or company to which a license to install
18 or service conveyances has been issued. Subsequent to
19 installation, the licensed person, firm, or company must
20 certify compliance with the applicable Sections of this Act.
21 Prior to any conveyance being used, the property owner or
22 lessee must obtain a certificate of operation from the State
23 Fire Marshal, unless the property is located within a
24 municipality with a population greater than 500,000. A fee as
25 set forth in this Act shall be paid for the certificate of
26 operation. It shall be the responsibility of the licensed
27 elevator contractor to complete and submit first time
28 registration for new installations. The certificate of
29 operation fee for newly installed platform lifts and stairway
30 chair lifts for private residences shall be subsequent to an
31 inspection by a licensed third party inspection firm.

32 (b) The certificate of operation fee for all new and
33 existing platform and stairway chair lifts for private

1 residences and any renewal certificate fees shall be waived.
2 The State Fire Marshal or his or her designee shall inspect,
3 in accordance with the requirements set forth in this Act,
4 all newly installed and existing platform lifts and stairway
5 chair lifts for private residences subsequent to an
6 inspection by a person, firm, or company to which a license
7 to inspect conveyances has been issued.

8 (c) A certificate of operation referenced in subsections
9 (a) and (b) of this Section is renewable annually, except for
10 certificates issued for platform and stairway chairlifts for
11 private residences, which shall be valid for a period of 3
12 years. Certificates of operation must be clearly displayed on
13 or in each conveyance or in the machine room for use for the
14 benefit of code enforcement staff.

15 Section 100. Insurance requirements.

16 (a) Elevator contractors shall submit to the State Fire
17 Marshal an insurance policy or certified copy thereof, issued
18 by an insurance company authorized to do business in the
19 State, to provide general liability coverage of at least
20 \$1,000,000 for injury or death of any one person and
21 \$1,000,000 for injury or death of any number of persons in
22 any one occurrence, with coverage of at least \$500,000 for
23 property damage in any one occurrence and statutory workers
24 compensation insurance coverage.

25 (b) Private elevator inspectors shall submit to the State
26 Fire Marshal an insurance policy or certified copy thereof,
27 issued by an insurance company authorized to do business in
28 the State, to provide general liability coverage of at least
29 \$1,000,000 for injury or death of any one person and
30 \$1,000,000 for injury or death of any number of persons in
31 any one occurrence, with coverage of at least \$500,000 for
32 property damage in any one occurrence and statutory workers
33 compensation insurance coverage.

1 (c) These policies, or duly certified copies thereof, or
2 an appropriate certificate of insurance, approved as to form
3 by the Department of Insurance and as to sufficiency by the
4 State Comptroller, shall be delivered to the State Fire
5 Marshal before or at the time of the issuance of a license.
6 In the event of a material alteration or cancellation of a
7 policy, at least 10 days notice thereof shall be given to the
8 State Fire Marshal.

9 Section 105. Enforcement.

10 (a) It shall be the duty of the Elevator Safety Review
11 Board or municipality or other unit of local government to
12 develop an enforcement program to ensure compliance with
13 rules and requirements referenced in this Act. This shall
14 include, but shall not be limited to, rules for
15 identification of property locations that are subject to the
16 rules and requirements; issuing notifications to violating
17 property owners or operators, random on-site inspections, and
18 tests on existing installations; witnessing periodic
19 inspections and testing in order to ensure satisfactory
20 performance by licensed persons, firms, or companies; and
21 assisting in development of public awareness programs.

22 (b) Any person may make a request for an investigation
23 into an alleged violation of this Act by giving notice to the
24 State Fire Marshal of such violation or danger. The notice
25 shall be in writing, shall set forth with reasonable
26 particularity the grounds for the notice, and shall be signed
27 by the person making the request. Upon the request of any
28 person signing the notice, the person's name shall not appear
29 on any copy of the notice or any record published, released,
30 or made available.

31 (c) If, upon receipt of such notification, the State Fire
32 Marshal determines that there are reasonable grounds to
33 believe that such violation or danger exists, the State Fire

1 Marshal shall cause to be made an investigation in accordance
2 with the provisions of this Act as soon as practicable to
3 determine if such violation or danger exists. If the State
4 Fire Marshal determines that there are no reasonable grounds
5 to believe that a violation or danger exists, he or she shall
6 notify the party in writing of such determination.

7 Section 110. Liability.

8 (a) This Act shall not be construed to relieve or lessen
9 the responsibility or liability of any person, firm, or
10 corporation owning, operating, controlling, maintaining,
11 erecting, constructing, installing, altering, inspecting,
12 testing, or repairing any elevator or other related
13 mechanisms covered by this Act for damages to person or
14 property caused by any defect therein, nor does the State
15 assume any such liability or responsibility therefore or any
16 liability to any person for whatever reason whatsoever by the
17 adoption of this Act or any acts or omissions arising under
18 this Act.

19 (b) Any owner or lessee who violates any of the
20 provisions of this Act shall be fined in an amount not to
21 exceed \$1,500.

22 Section 115. Provisions not retroactive. The provisions
23 of this Act are not retroactive unless otherwise stated, and
24 equipment shall be required to comply with the applicable
25 code at the date of its installation or within the period
26 determined by the Board for compliance with ASME A17.3,
27 whichever is more stringent. If, upon the inspection of any
28 device covered by this Act, the equipment is found in
29 dangerous condition or there is an immediate hazard to those
30 riding or using such equipment or if the design or the method
31 of operation in combination with devices used is considered
32 inherently dangerous in the opinion of the administrator, he

1 or she shall notify the owner of the condition and shall
2 order such alterations or additions as may be deemed
3 necessary to eliminate the dangerous condition.

4 Section 120. Inspection and testing.

5 (a) It shall be the responsibility of the owner of all
6 new and existing conveyances located in any building or
7 structure to have the conveyance inspected annually by a
8 person, firm, or company to which a license to inspect
9 conveyances has been issued. Subsequent to inspection, the
10 licensed person, firm, or company must supply the property
11 owner or lessee and the State Fire Marshal with a written
12 inspection report describing any and all violations. Property
13 owners shall have 30 days from the date of the published
14 inspection report to be in full compliance by correcting the
15 violations.

16 (b) It shall be the responsibility of the owner of all
17 conveyances to have a firm or company licensed as described
18 in this Act to ensure that the required inspection and test
19 are performed at intervals in compliance with ASME A17.1,
20 ASME A18.1, and ASCE 21.

21 (c) All tests shall be performed by a licensed elevator
22 mechanic.

23 Section 125. State law, code, or regulation. Whenever a
24 provision in this Act is found to be inconsistent with any
25 provision of another applicable State law, code, or rule, the
26 State law shall prevail. This Act, unless specifically stated
27 otherwise, is not intended to establish more stringent or
28 more restrictive standards than standards set forth in other
29 applicable State laws.

30 Section 130. Accidents. The owner of each conveyance
31 shall notify the administrator of any accident causing

1 personal injury or property damage in excess of \$1,000 that
2 involves a conveyance, on or before the close of business the
3 next business day following the accident. The Office of the
4 State Fire Marshal shall investigate and report to the Board
5 the cause of any conveyance accident that may occur in the
6 State, the injuries sustained, and any other data that may be
7 of benefit in preventing other similar accidents.

8 Section 135. Elevators in private residences. The owner
9 of a conveyance located in his or her private residence may
10 register, pay the required fee, and have his or her existing
11 conveyance inspected. The Administrator shall provide notice
12 to the owner of the private residence where the conveyance is
13 located with relevant information about conveyance safety
14 requirements, including the need to have the elevator
15 periodically and timely inspected and made safe. Any
16 inspection performed shall be done solely at the request and
17 with the consent of the private residence owner. No penalty
18 provision of this Act shall apply to private residence
19 owners.

20 Section 140. Local regulation; home rule.

21 (a) A municipality within its corporate limits and a
22 county within unincorporated areas within its boundaries may
23 inspect, license, or otherwise regulate elevators and devices
24 described in Section 10 of this Act, but any safety standards
25 or regulations adopted by a municipality or county under this
26 subsection must be at least as stringent as those provided
27 for in this Act and the rules adopted under this Act. A
28 municipality or county that inspects, licenses, or otherwise
29 regulates elevators and devices described in Section 10 of
30 this Act may impose reasonable fees to cover the cost of the
31 inspection, licensure, or other regulation.

32 (b) A home rule unit may not regulate the inspection or

1 licensure of, or otherwise regulate, elevators and devices
2 described in Section 10 of this Act in a manner less
3 restrictive than the regulation by the State of those matters
4 under this Act. This subsection is a limitation under
5 subsection (i) of Section 6 of Article VII of the Illinois
6 Constitution on the concurrent exercise by home rule units of
7 powers and functions exercised by the State.

8 Section 990. Repealer. This Act is repealed 10 years
9 after the effective date of this Act.